

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

PATRICK McGOVERN-ALLEN

Defendant(s)

Case No. 22-MJ-1260

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 2, 2022 in the county of Chester in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

18 U.S.C. 2261A

Offense Description

Stalking

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.*/s/ E. Edward Conway**Complainant's signature*

Special Agent E. Edward Conway

Printed name and title

Sworn to before me and signed in my presence.

Date: August 9, 2022*/s/ Richard A. Lloret**Judge's signature*City and state: Philadelphia, Pennsylvania

The Honorable Richard A. Lloret

Printed name and title

AFFIDAVIT IN SUPPORT OF COMPLAINT AND WARRANT

I, E. Edward Conway, being first duly sworn, hereby depose and state as follows:

Introduction and Agent Background

1. I submit this affidavit in support of an application for a warrant to arrest PATRICK McGOVERN-ALLEN for violations of 18 U.S.C. § 2261A. McGOVERN-ALLEN was born on July 4, 2001, holds New Jersey Driver License M12616177307014 with a registered address of 115 Grange Cross Lane, Egg Harbor Township, New Jersey.

2. I am a Special Agent of the Federal Bureau of Investigation (FBI), assigned to the Philadelphia division, Newtown Square Resident Agency where I investigate crimes including human trafficking, complex economic crimes, cybercrimes, to include romance fraud, and cyberstalking. As such many of the cases I investigate include some element of determining the identity and location of targets that intentionally try to thwart law enforcement through the use of aliases, multiple email and Internet based telephone and messaging accounts. I have been employed in this position since March of 2004. As a federal agent, I am authorized to investigate violations of laws of the United States and am a law enforcement officer with the authority to execute warrants issued under the authority of the United States.

3. I am currently assigned to an investigation involving cyberstalking and violations of the Travel Act. My investigation has shown that co-conspirators have used the Discord application and other messaging services to arrange a firebomb attack on December 18, 2021, and a shooting on January 2, 2022. Based on my investigation, as set forth below, I believe that

PATRICK McGOVERN-ALLEN traveled from New Jersey to Pennsylvania at the request of unknown co-conspirators and committed the firebombing and the shooting.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and law enforcement officers and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter.

5. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of 18 U.S.C. § 2261A have been committed by PATRICK McGOVERN-ALLEN.

Statutory Authority

6. Title 18 United States Code § 2261A provides, in pertinent part, that “whoever travels in interstate or foreign commerce . . . and in the course of, or as a result of, such travel or presence engages in conduct that places that person in reasonable fear of the death of, or serious bodily injury to that person . . . or would be reasonably expected to cause substantial emotional distress to a person . . . shall be punished.” 18 U.S.C. § 2261A(1)(A)(i), 2261(A)(1)(B).

The Discord Application

7. As explained below, this investigation involves the Discord application. Discord owns and operates a free-access voice and text chat application that can be installed on a mobile device or accessed via a website of the same name at <http://www.discordapp.com>. To use Discord, a user creates an account and uses it to communicate with other Discord users.

8. Discord asks users to provide basic contact information to Discord, either during the registration process or thereafter. The information may include the user's full name, birthdate, contact e-mail addresses, physical address (including city, state, and zip code) telephone numbers, screen names, websites, and other personal identifiers. Discord also assigns a user identification number to each account. This information is not verified or authenticated, and a user may therefore provide fake identifiers.

9. Users can access different features on Discord. Discord users can exchange private messages between users. That is, certain private messages do not appear in any public text channel but are revealed only to the users participating in the private communication. Users can also participate in public text chat room discussions, and voice chat with each other. Discord users can also create "servers" which are like message boards that can only be accessed by users who have an "invitation link." Within these servers, users can set up different "text channels," where users can type written text, upload files, and record communications. Additionally, within these servers, users can be categorized and given designated roles. Such categorizations and designations provide users with different levels of access to the server and its settings.

10. Discord retains Internet Protocol ("IP") logs for a given user ID or IP address.¹ These logs may contain information about the actions taken by the user and his/her associated IP address, including the type of action, the date and time of the action, and the user ID and IP address associated with the action. For example, if a user views a Discord profile, that user's IP

¹An IP address is a numerical label associated with a computer network that uses the Internet Protocol for communication. An IP address serves two main functions: network interface identification and location addressing. In general, IP addresses are used so devices can communicate with one another over the Internet.

log may reflect the fact the user viewed the profile and would show when and from what IP address the user did so.

11. Social networking providers like Discord typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Discord users may communicate directly with Discord about issues relating to their account, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Discord typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications. Additional information may be retained on the devices used to access their Discord account.

PROBABLE CAUSE

Investigation of West Chester Shooting

12. On January 2, 2022, at approximately 2:00 a.m., Westtown East Goshen Police Department ("WEGO") responded to 1016 Centre School Way in West Chester, Pennsylvania² for a report of shots fired. Upon arriving at the scene, patrol officers confirmed there was a shooting at a residence and began to secure and canvas the scene. A search of the property yielded seven shell casings along with a silver magazine for a semi-automatic handgun. As the officers searched the exterior of the property, they discovered bullet holes in a large bay window which leads into the family room of the property. The seven shells casings along with the silver

² The property is located in Westtown Township, and WEGO serves both Westtown and East Goshen Townships.

magazine containing one live round were located near the property's front porch. The bullets traveled into the residence and were found in the wall, in a piano leg, the stool for the piano, and a small table. The homeowners were present in the home at the time of the shooting and reported to law enforcement that they feared for their lives and continue to do so.

13. WEGO Detective David Hale responded to the scene as the lead investigator into the incident. Detective Hale spoke with the homeowner, M.K.,³ who reported that a video of the shooting was circulating on the web-based messaging servers Discord and Telegram. M.K. sent the video to Detective Hale. It showed a white male firing a black Smith and Wesson semi-automatic handgun. In the video, the males yell "Justin Active was here." M.K. advised Detective Hale that a female staying at the house, K.M., may have been the intended target.

14. I reviewed the video in slow motion and paused the video. I determined shooter likely used a Smith and Wesson silver handgun and wore a dark Air Jordan hoodie, a dark balaclava, and dark semi-rimless glasses.

Investigation of Abington Township Firebombing at A.R.'s Residence

15. On December 18, 2021, at approximately 12:28 a.m., Abington Township Police Department ("APD") officers were dispatched to 638 Roslyn Avenue in Abington, Pennsylvania for the report of a house fire. The homeowner, S.H., called 911 and reported the front of her house was on fire. The callers believed something was thrown at the residence just prior to the fire igniting.

16. Upon arrival, APD officers observed the homeowners standing outside of the residence, and a wooden chair, grass, brush, and a small section of the house's siding were on

³ I know the identities of the victims, but they are being referred to here by initials to preserve their confidentiality.

fire. One of the front windows was broken and its frame also on fire. Near the window was a shattered bottle laying on the ground. Officer Jones detected the odor of a flammable liquid emanating from the general area of the window and bottle. The homeowner showed officers a medium sized piece of a slate he found by the window, which he believed was used to break the window.

17. Police officers spoke with homeowners S.H. and M.S., who stated they went to sleep at approximately 9:30 p.m. Just prior to S.H. calling 911, they heard male voices talking and possibly laughing near the front of their residence. They then heard a loud noise downstairs, but initially did not think anything of it. Approximately one minute after they heard the noise, S.H. began to smell smoke. M.S. looked out of their second-floor bedroom window and observed the front of the residence was on fire. They left the house and M.S. began to extinguish the fire. M.S. and S.H. stated there was nothing distinguishable about the voices they heard, and they did not recognize them.

18. On December 18, 2021, at or around 3:30 a.m., Abington Police and Fire Department were again dispatched to the residence because the previous fire had reignited. The second fire caused more significant damage to the residence. S.H. and M.S. were home when the second fire ignited.

19. On January 2, 2022, WEGO Detective Hale contacted APD about the arson investigation. WEGO had been made aware of APD's arson investigation and that victims were previously the target of swatting calls on multiple occasions. WEGO Detective Hale informed APD investigators that he had opened an investigation into the shooting incident in West Chester. As part of that investigation, Detective Hale informed APD that he had received a video

of a firebombing of a residence, which he believed was taken by the suspects who intentionally set the Abington house on fire. After reviewing the video, APD confirmed that the video was of two suspects setting 638 Roslyn Avenue on fire using a Molotov cocktail.

20. I have reviewed that video. It showed two suspects in front of 638 Roslyn Avenue in what appeared to be night because it was dark. They stood outside a first-floor window near a wooden chair. One of the suspects filmed while the second suspect attempted to use a black and red lighter to light a blue cloth on fire that is stuffed inside a bottle of “MD 20/20” juice flavored grape wine. While the second suspect lit the bottle the first suspect threw an object through the first-floor window. The first suspect repeatedly told the second suspect to “light it” and the second suspect lit the blue cloth on fire. He then threw the bottle with the ignited cloth at the window. The bottle struck the outside frame of the window and dropped outside the front window of the house. The Molotov cocktail caused the immediate surrounding area to ignite, including the siding of the house, grass, and the wooded chair. The two suspects then fled on foot toward the street and begin yelling something when the video stops.

Patrick McGOVERN-ALLEN a/k/a “Tongue”

21. During the investigation, I received an investigative summary from the Discord Trust and Safety Department, which is “responsible for monitoring, detecting, and responding to potential [Discord] user behaviors that violate guidelines or laws.” This summary was voluntarily provided to federal agents in the FBI and Department of Homeland Security. It stated that the investigatory summary was the culmination of many separate investigations into “high harm cybercrime activity.”

22. The investigation included summaries and conclusions from the Discord Trust and Safety Department investigators as well as chats that they believed showed criminal activity. Some of the information provided is not relevant to this investigation, however, the chat logs and subscriber information for Discord User ID: 469171322463715348 (“USER 5348”) are relevant for reasons explained here. This user is referred to in the report as “Tongue” based on the display name he chose (Tongue#0001). I believe that “Tongue” is PATRICK McGOVERN-ALLEN.

23. In the chats, he tells other Discord users that he was the person who shot K.M.’s house and that he was willing to commit firebombings using Molotov cocktails. For example, in one Discord chat from March 2022, USER 5348 states “if you need anything done for \$ lmk [“let me know”]/I did a shooting/ Molotov/but I can also do things for ur entertainment.”

24. In another chat from April 2, 2022, USER 5348 discusses the video showing the shooting at K.M.’s house and discloses details relating to the shooting. He states, “the video/is [K]’s house/getting shit/shot/justin active/was her current bf/the reason it happened/so that’s why/Justin active was there.” The person in USER 5348’s chat then asks, “why did they shoot her house” and USER 5348 responds “because they got payed well *[sic]*.” The other person in the chat then states, “its you nigga, pat.” USER 5348 responds, “ye /thays me/thats.”

25. In other chats from April 2, 2022, USER 5348 references travelling to other states to commit shootings and complains about other Discord users knowing about “my shooting.” Throughout the messages, USER 5348 also responds to the name “Pat” and “Patty.”

26. The subscriber information for USER 5348’s account includes a verified e-mail address of SUBJECT ACCOUNT patthebat28@gmail.com. The Discord Trust and Safety Department also stated that billing records for Discord indicate that USER 5348 is “Patrick

Allen” whose address is 115 Grange Cross Lane in Egg Harbor Township, New Jersey. This is McGOVERN-ALLEN’s address of record.

27. I served a search warrant on GOOGLE, LLC, or the content of the email account paththebat28@gmail.com. The email content received included two emails from Discord to which identified the user as Tongue. I also located an email Discord sent December 13, 2021, entitled “Warning: Violation of TOS/Community Guidelines Notification,” which stated”

“Your account is receiving this notice due to participation in a server that violates our community guidelines.

Specifically, exe’s cashout server allows or facilitates harmful activities related to cybercrime.

28. The content of the Discord chats also makes clear that the user is McGOVERN-ALLEN. For example, in one of the chats provided by the Discord Trust and Safety Department, USER 5348 states that he works at an Italian restaurant called “A Touch of Italy.” He says that in a message dated February 12, 2022. New Jersey employment records confirm that McGOVERN-ALLEN’s most recent employment was at “A Touch of Italy” located in Egg Harbor Township, New Jersey and that he worked there in the first quarter of 2022. In that same chat, USER 5348 tells his chat partner that his birthday is July 4th. I know that McGOVERN-ALLEN’s birthday is July 4, 2001.

29. A search of photo records also shows that McGOVERN-ALLEN is a white male who wears glasses with dark semi-rimless frames. This is consistent with the brief image of the person seen in the shooting video.

30. In the Discord chats provided by the Discord Trust and Safety site Department, McGOVERN-ALLEN using the USER 5348 account, provides his phone number to different chat partners as “6097272227.” One unidentified Discord user asks, “Is the 2227 [number] your burner [phone]?” McGOVERN-ALLEN replies “nah. . .my main.”

31. Based on databases available to me, I determined that phone number 609-727-2227 was serviced by T-Mobile. I served a subpoena on T-Mobile for subscriber information and call detail records. The phone is subscribed to Gregory A. Stengel at 115 Grange Cross Lane in Egg Harbor Township, New Jersey. Based upon databases available to me, I determined McGOVERN-ALLEN’s address of record to be 115 Grange Cross Lane in Egg Harbor Township, New Jersey. Based on a review of public records, I believe that Gregory Stengel is McGOVERN-ALLEN’s grandfather.

32. I served a search warrant on T-Mobile for cell site tower this and data session information related to telephone number 609-727-2227. A review of the call records and data sessions indicated that McGOVERN-ALLEN’s telephone moved from New Jersey to the vicinity of the arson on December 18, 2021, and the shooting on January 2, 2022.

33. More specifically, based upon December 18, 2021 data sessions and calls made or received, T-Mobile reported a location of the device associated with telephone number 609-727-2227 to be within one mile of the arson 17 minutes after the homeowner reported the fire to 911. Similarly, data sessions from January 2, 2022, reported a location within two miles of the shooting approximately five minutes after the shooting occurred. These locations are approximately 75 miles from McGOVERN-ALLEN’s Egg Harbor Township home address, and his cell phone did not interact with those cell towers on any other date between December 1,

2021, and February 1, 2022. Accordingly, based on my training and experience, I believe that McGOVERN-ALLEN traveled from New Jersey to the shooting and arson locations and participated in both crimes.

34. I served a subpoena on Apple for basic subscriber and iCloud account information related to McGOVERN-ALLEN's identifiers, including patthebat28@gmail.com and phone number 609-727-2227. Apple identified at least two iCloud accounts associated with these identifiers: patrick609@icloud.com and omgpat666@gmail.com ("the SUBJECT ACCOUNTS"). Specifically, both SUBJECT ACCOUNTS were linked to phone number 609-727-2227. Moreover, Account detail records associated with patrick609@icloud.com list "patrick aye " as the account holder with 115 Grange Cross Lane as the address of record. Similarly, account detail records associated with omgpat666@gmail.com list "Patrick Allen" as the account holder with 115 Grange Cross Lans [sic] as the address of record. Moreover, the account details listed the T-Mobile telephone number 609-727-2227 as the account's verified telephone number. I served a search warrant on APPLE, INC for the content of respective iCloud accounts. I located the video of the shooting in the iCloud backups associated with patrick609@icloud.com.

35. Based on the above information, I believe that USER 5348, aka Tongue, is McGOVERN-ALLEN. I also believe that there is probable cause based on the information summarized here to believe that McGOVERN-ALLEN is the person who committed the shooting in Westtown Township in violation of 18 U.S.C. § 2261A, as well as the arson in Abington Township.

CONCLUSION

36. I request that the Court issue an arrest warrant authorizing the Federal Bureau of Investigation or any authorized law enforcement officer to arrest McGOVERN-ALLEN.

37. Because McGOVERN-ALLEN and his co-conspirators are not aware of the FBI's investigation, if they learn of the investigation, they are likely to destroy evidence and may flee. I therefore request that all papers associated with this application and arrest warrant be sealed. For the same reason, I request that the papers associated with this arrest warrant application be filed under seal.

Respectfully submitted,

/s/ E. Edward Conway

E. Edward Conway
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me
on August 9, 2022:

/s/ Richard A. Lloret

HONORABLE RICHARD A. LLORET
UNITED STATES MAGISTRATE JUDGE